

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 05-3584

EDWARD L. WALSH,

Appellant

v.

WAL MART STORES INC.

Appeal from the
United States District Court for the
Western District of Pennsylvania
(D.C. No. 03-cv-00269E)
District Judge: The Honorable Maurice B. Cohill

Submitted Under Third Circuit LAR 34.1(a)
September 29, 2006

Before: MCKEE and AMBRO, Circuit Judges, and
RESTANI*, Judge

JUDGMENT

This cause came to be heard on the record before the United States District Court for the Western District of Pennsylvania and was submitted pursuant to Third Circuit LAR

*Honorable Jane A. Restani, Chief Judge of the United States Court of International Trade, sitting by designation.


34.1(a) on September 29, 2006.

After considering the contention raised by the appellant that the court erred because there exists a triable issue of fact on the claim of retaliation, it is ORDERED AND ADJUDGED that the grant of summary judgment by the District Court is AFFIRMED. All of the above are in accordance with the opinion of this Court. The parties are to bear their own costs.

ATTEST:

/s/ Marcia M. Waldron
Clerk

Dated: 2 October 2006

The seal of the United States Court of Appeals for the Third Circuit is circular. It features an eagle with spread wings perched on a shield. The shield is divided into sections, with a constellation of stars in the upper left. The words "UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT" are inscribed around the perimeter of the seal.
Certified as a true copy and issued in lieu
of a formal mandate on October 24, 2006

Teste: Marcia M. Waldron
Clerk, U.S. Court of Appeals for the Third Circuit